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JOHN F. DAVIS, CLERK

IN THE

Supreme Court of the United States

OCTOBER TERM, 1965

No. 112

GEORGE LEVINE,

Petitioner,

versus

UNITED STATES OF AMERICA,

Respondent.

REPLY OF PETITIONER GEORGE LEVINE TO SUPPLEMENTAL MEMORANDUM FOR THE UNITED STATES

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Miami, Florida 33130
Attorneys for Petitioner

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Pursuant and in obedience to the Court's request of November 22, 1965, that the undersigned reply to the Supplemental Memorandum for the United States filed in the above-entitled cause by the Honorable Thurgood Marshall, Solicitor General for the United States, the petitioner George Levine, by and through his undersigned attorney, is in full accord with the interpretation of the facts as recited, and the applicable law as cited by the Solicitor General in his Supplemental Memorandum for the United States, and, therefore, states that there is now no necessity for oral argument as to this matter.

Wherefore, your petitioner being in full accord in

and agrees with the admission and conclusion of the Solicitor General, respectfully suggests that the petition of George Levine, number 112, be granted and that the judgment of the Court of Appeals be modified by directing a remand of the case with directions to vacate the convictions and sentences of petitioner George Levine on counts one, three, four, five, six, seven and eight.

Respectfully submitted,

NICHOLAS J. CAPUANO of
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1409 Biscayne Building
Miami, Florida 33130
Attorneys for Petitioner

By_____

CERTIFICATION OF SERVICE

I hereby certify that a true and correct copy of the foregoing was this ____ day of December, 1965, mailed to Thurgood Marshall, Solicitor General of the United States, Department of Justice, Washington, D. C.

_____

NICHOLAS J. CAPUANO